

BEFORE THE INDUSTRIAL COMMISSION OF THE STATE OF IDAHO

JEFF TEPFER,)	
)	
Claimant,)	IC 04-504242
)	
v.)	
)	ORDER
MORTENSEN ENTERPRISES, INC.,)	
)	Filed July 26, 2005
Employer,)	
)	
and)	
)	
STATE INSURANCE FUND,)	
)	
Surety,)	
)	
Defendants.)	
_____)	

Pursuant to Idaho Code § 72-717, Referee Michael E. Powers submitted the record in the above-entitled matter, together with his proposed findings of fact and conclusion of law to the members of the Idaho Industrial Commission for their review. Each of the undersigned Commissioners has reviewed the record and the recommendation of the Referee. The Commission concurs with this recommendation. Therefore, the Commission approves, confirms, and adopts the Referee's proposed findings of fact and conclusion of law as its own.

Based upon the foregoing reasons, IT IS HEREBY ORDERED that:

1. Claimant has failed to prove he suffered an accident causing a personal injury arising out of and in the course of his employment.
2. The Complaint is, therefore, dismissed with prejudice.

3. Pursuant to Idaho Code § 72-718, this decision is final and conclusive as to all issues adjudicated.

DATED this __26th__ day of __July__, 2005.

INDUSTRIAL COMMISSION

____/s/_____
Thomas E. Limbaugh, Chairman

____/s/_____
James F. Kile, Commissioner

Unavailable for signature _____
R. D. Maynard, Commissioner

ATTEST:

____/s/_____
Assistant Commission Secretary

CERTIFICATE OF SERVICE

I hereby certify that on the __26th__ day of __July__, 2005, a true and correct copy of the foregoing **ORDER** was served by regular United States Mail upon each of the following persons:

JEFF TEPFER
10023 HIGHWAY 44
MIDDLETON ID 83644

MAX M SHEILS JR
PO BOX 388
BOISE ID 83701-0388

____/s/_____

ge